

January 13, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE JOINT USE COOPERATIVE AGREEMENT AND RESOLUTION
RELATING TO CITY OF DUARTE'S THIRD CYCLE APPLICATION
FOR LIBRARY BOND ACT GRANT
TO CONSTRUCT THE DUARTE LIBRARY PROJECT (5)
(3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that your Board has previously determined that the direct sale of County-owned real property associated with this project is categorically exempt from the California Environmental Quality Act (CEQA).
2. Approve and authorize the Chairman of the Board to sign the attached Joint Use Cooperative Agreement (Attachment 1) between the County, the City of Duarte, and the Duarte Unified School District.
3. Approve the Resolution (Attachment 2) certifying the County's commitment to operate the new library, to be constructed by the City, as required in the Bond Act regulations.
4. Authorize the County Librarian on behalf of the County, as the operator of the library service, to sign the City's Bond Act grant application.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommendations will enable the City of Duarte (City) to submit a new grant application to the State for matching funds under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (Bond Act) to construct the Duarte Library project. The City plans to submit its grant application to the State Library for the third and final application cycle deadline of January 16, 2004. The City previously submitted a grant application in March 2003 for the second Bond Act application cycle but was not awarded a grant.

If the City is successful in obtaining a Bond Act grant, it will construct a new 17,200 square feet library and associated parking adjacent to the Duarte Civic Center. The new library will replace the existing 10,048 square feet library located at 1301 Buena Vista Street in Duarte, which is owned and operated by the County. Under the terms of the Lease and Operating Agreement previously approved by your Board with the City, the existing County-owned library property will be sold to the City's Redevelopment Agency at fair market value, and the County will contribute the net sale proceeds back to the Agency to offset expenses associated with construction of the new library facility. In the event the City withdraws from the County Library within 40 years of the date the new library is opened, the City would pay the County a withdrawal fee equal to the balance remaining of the amortization of the entire purchase price at three per cent interest over a 40-year period.

Service improvements at the proposed new library include: a large adult reading area; a homework center and literacy center; a community meeting room to seat 80; a conference room with 12 seats; a small group study room; a young adult area with seating for eight and two multimedia listening/viewing stations; a spacious children's area with storytelling space for 35; a dedicated room for the Friends of the Library; self check machines and express Internet stations; 32 public access computers; and an expanded collection of 87,260 books and audiovisual materials. If a grant is awarded, the library books and materials collection in the existing Duarte Library will be transferred to the replacement library when it opens.

The revised Joint Use Cooperative Agreement with the City and the Duarte Unified School District provides for a jointly operated homework center and literacy center as part of the new library. Approval of this agreement will make the City's grant application eligible for first priority consideration for funding by the Bond Act Board.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of these recommendations is consistent with the County's Strategic Plan Goal of Fiscal Responsibility since construction of this facility represents an investment in public infrastructure. It is also consistent with the goal of Service Excellence since the proposed new facility will provide improved library service to the residents of the City. Approval is also consistent with the goal of Children and Families' Well-Being because the library will provide educational facilities and programs for enhancing educational/workforce readiness.

FISCAL IMPACT/FINANCING

The City will be responsible for the total project cost for this new library, estimated at \$7.9 million. The City's financial liability would be offset by the County's contribution of the net sale proceeds from the County's existing library property. The City's project budget includes the cost of constructing the new library, including the purchase of fixtures, furnishings and equipment. Therefore, there is no additional cost to the County associated with the City's project. The County will continue to operate the new library after it is completed, pursuant to the provisions of the lease between the City and County. However, the County's cost will not exceed the current level of expenditure for operation of the existing library.

Operating Budget Impact

The Bond Act requires the applicant, in this case the City, to operate the library for a period of 40 years after completion of the project. If the State approves a grant award for this project, it is anticipated by the City that the new facility will begin operation in March 2007.

Based on the terms and conditions of the lease, the County will pay for the modest increase in staffing required to operate the larger new facility. In exchange, the City will assume the cost of all building maintenance, including janitorial service, and utilities excluding telephone. The County will be responsible for providing telephone and telecommunications service including Internet access services. The County will also maintain the telephone system, computers, and copy machines.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On March 7, 2000 California's voters approved Proposition 14, which established the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000, creating a \$350 million State bond program for construction and renovation of library facilities. The Bond Act provides grant funds to local library jurisdictions on a 65 percent State/35 percent local matching basis. Grant funds will be awarded on a competitive basis in three separate application and funding cycles. The City is the applicant for this project, and intends to submit its grant application for the third and final funding cycle.

The Bond Act regulations require that the City own a site, or have an option to acquire a site, for the project at the time of application. On March 18, 2003 your Board approved a Lease and Operating Agreement with the City, an Option Agreement with the City's Redevelopment Agency, and a Purchase and Sale Agreement with the Agency for the transfer of the County's existing library property to the Agency.

On March 18, 2003 your Board also approved a Joint Use Cooperative Agreement with the City and the Duarte Unified School District to provide a jointly operated parent and student support program as part of the City's project. The Bond Act and associated State regulations provide first priority consideration for funding of projects where the agency that operates the library (in this case the County) and one or more school districts have such a cooperative agreement. We are, however, submitting a revised version of the joint use agreement (Attachment 1) with the School District to incorporate changes desired by the City and the School District. These improvements will strengthen the joint use agreement for consideration by the State in the third application cycle. Your Board's approval of the revised agreement ensures that the City's project grant application will receive first priority funding consideration by the Bond Act Board. The agreement has been approved as to form by County Counsel and approved by the school board for the School District. This joint use program provides a parent and student support program which includes a homework center and a literacy center with space, computers and materials for formal homework support, family literacy services and computer training.

The Bond Act regulations require that the Board of Supervisors adopt a resolution in support of the grant application by the City to certify the County's commitment to operate the completed facility and provide public library direct service. The attached Resolution (Attachment 2) has been approved as to form by County Counsel and conforms to the Bond Act regulations.

ENVIRONMENTAL DOCUMENTATION

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On March 18, 2003 your Board found that the proposed direct sale of County-owned real property located at 1301 Buena Vista Street in Duarte is categorically exempt under Class 12 of the State CEQA Guidelines and the Revised Environmental Document Reporting Procedures and Guidelines adopted by your Board.

IMPACT ON CURRENT SERVICES

Library service at the existing Duarte Library will not be impacted adversely during construction of the new facility if a grant is awarded for this project.

CONCLUSION

The City's effort to seek Bond Act funding to replace the existing library facility will result in improved library service at limited cost to the County.

Please return an adopted copy of this letter to the Public Library. In addition, please return the following to the Public Library for further processing: four fully conformed copies of the Joint Use Cooperative Agreement with original signatures; and an original executed Resolution.

Respectfully submitted,

MARGARET DONNELLAN TODD
County Librarian

MDT:DF:jm

Attachments

c: Chief Administrative Office
County Counsel
Executive Office, Board of Supervisors

RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS

DUARTE LIBRARY PROJECT

WHEREAS, on March 7, 2000, California's voters approved Proposition 14, which established the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 ("Bond Act") creating a \$350 million State bond program for construction and renovation of library facilities; and

WHEREAS, the City of Duarte ("City") desires to apply for Bond Act funds for the construction of a new library, and has prepared a grant application and required supporting documents, to submit for the third grant application cycle deadline of January 16, 2004; and

WHEREAS, the County of Los Angeles ("County") provides library service to the City of Duarte and currently operates the existing library within the City; and

WHEREAS, the City and County have negotiated a lease and operating agreement for the County's use and operation of the new library; and

WHEREAS, the State has adopted certain regulations governing the application process to obtain Bond Act funds, which regulations require the City to submit with its application a resolution adopted by the County Board of Supervisors regarding the County's commitment to operate the new library constructed by the City; and

WHEREAS, this resolution complies with the requirements of the State regulations for a Bond Act grant application;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 19985 *et seq.* of the Education Code of the State of California, the Board of Supervisors of the County of Los Angeles does hereby certify that the County will operate the completed facility and provide public library direct service.

The foregoing resolution was on the _____ day of _____, 2004, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of the County of Los Angeles Public Library.

VIOLET VARONA-LUKENS
Executive Officer-Clerk of the Board of Supervisors
of the County of Los Angeles

Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By: _____
_____ Deputy